



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/534,904	09/26/2005	Richard John Thompson	1031-26	1808
7590	05/05/2006		EXAMINER	
Jack Schwartz & Associates 1350 Broadway Suite 1510 New York, NY 10018			PATEL, DHIRUBHAI R	
			ART UNIT	PAPER NUMBER
			2831	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/534,904	Applicant(s) THOMPSON, RICHARD JOHN	
	Examiner DHIRU R. PATEL	Art Unit 2831	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) * | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) .
Paper No(s)/Mail Date <u>2/23/06</u> | 6) <input type="checkbox"/> Other: _____ |

Drawings

1. Figures 1-2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: element number 222 (screw). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, said access apertures being connected by said channel recited in claim 6 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Specification

4. The disclosure is objected to because of the following informalities: the reference characters must be properly applied, no single reference character being used for two different parts or for a given part and a modification of such part. Such as in the specification on page 7, " screw 222 " while on same page 7 retaining means 222. Applicant is responsible for providing separate reference number for each part disclosed in the specification. See MPEP § 608.01 (g).

Applicant is responsible for reviewing the entire specification for each reference number and revise as required.

Appropriate correction is required.

Claim Objections

5. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution.

It is noted that two claims (13) are in this application.

The examiner renumbered claims 13-15 as new claims 14 -16.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2831

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 15 (renumbered) lines 1-4, "A junction box to the accompanying drawings" is confusing and unclear in light of the specification. What is with reference to the accompanying drawings?.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-16 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Dodds (5,621,189) in view of Burek et al (6,011,218).

Dodds discloses:

Regarding claim 1, a junction 2 (see fig 6) for joining at least one first section of conduit to at least one second section of conduit (see fig 6), the junction comprising a body 2

Art Unit: 2831

(see fig 6) having at least one first connecting portion 30 (see fig 6) for connecting a respective first section of conduit to said body (see fig 6) and at least one second connecting portion 32 (see fig 6) for connecting a second respective section of conduit to said body (see fig 6), the body defining a volume extending between least one said first connecting portion and at least one second connecting portion (see fig 6), and having at least one aperture 4 allowing access to said volume (see fig 2); at least one lid 50 (see figs 2 and 6) engagable with said body and adapted to close the or each aperture (see fig 6); but fails to disclose at least one earth connector located within said body and having at least one channel adapted to receive at least one earthed electrical cable in electrical contact with said body. Burek et al teach the use of at least one earth connector 17 and having at least one channel 18 (see figs 1A, 1B and 3) adapted to receive at least one earthed electrical cable in electrical contact with said body (see fig 23 and entire specification) in order to provide a simple, efficient, and time saving device and method for quickly and efficiently grounding a cable without the need to assemble a grounding assembly from a plurality of loose parts at the job site (see column 4 lines 45-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Dodds with at least one earth connector located within said body and having at least one channel adapted to receive at least one earthed electrical cable in electrical contact with said body as taught by Burek et al in order to provide a simple, efficient, and time saving device and method for quickly and efficiently grounding a cable without the need to assemble a grounding assembly from a plurality of loose parts at the job site.

Regarding claim 2, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including at least one said connecting portions is a threaded aperture 34, 36 adapted to receive a respective conduit section, said conduit section having a substantially circular cross-section (see fig 6 of Dodds and entire column 6).

Regarding claims 3-5, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including said channel is tubular and said channel has a cross-section and an upper portion of said cross section is open and said channel has at least one access aperture 38 (see fig 1B of Burek et al).

Regarding claims 6-8, as best understood, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including said channel has a first access aperture 40 and a second access aperture 42, said access apertures being connected by said channel (see fig 1 B of Burke et al).

Regarding claim 9, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including a cable retainer 20 (see fig 1B, column 6 lines 45-55 of Burke et al).

Regarding claim 10, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including said cable retainer comprises: a threaded portion 59, 60 of at least one side of said channel; and at least one screw 21 adapted to be received in said threaded portion (see figs 1A and 1B).

Regarding claims 11-14, the modified assembly of Dodda shows all the features of the claimed invention as shown above, including said cable retainer comprises at least one clamp adapted to engage said earth cable and press said earth cable into contact with said body (see fig 1 of Burke et al). With respect to claim 12, see fig 6 of Dodds. With respect to claims 13-14, see fig1 of Burke et al .

Regarding claim 15, claim 15 is included in this rejection as best understood.

Regarding claim 16, a body 2 defining a volume (see fig 6 of Dodds); a first connector part 30 (see fig 6) of said body for receiving a first cable housing; a second connector part 32(see fig 6) of said body for receiving a second cable housing; but fails to disclose an electrical connector part of the body, said electrical connector part having a channel for receiving a conductive part of an earthed wire receivable in the volume and a fastener for retaining the earthed wire in the electrical connector part and to maintain electrical contact between the body and the earthed wire. Burek et al teach the use of an electrical connector part 17 and having at least one channel 18 (see figs 1A, 1B and 3) for receiving a conductive part of an earthed wire in the electrical connector part and to maintain electrical contact between the electrical connector the earthed wire, a fastener 21 (see figs 1a, 1b and 23 and entire specification) in order to provide a simple, efficient, and time saving device and method for quickly and efficiently grounding a cable without the need to assemble a grounding assembly from a plurality of loose parts at the job site (see column 4 lines 45-50). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Dodds with an electrical connector part of the body, said electrical connector part having a channel for receiving a conductive part of an earthed wire receivable in the volume and a fastener for retaining the earthed wire in the electrical connector part and to maintain electrical contact between the body and the earthed wires taught by Burek et al in order to provide a simple, efficient, and time saving device

Art Unit: 2831


and method for quickly and efficiently grounding a cable without the need to assemble a grounding assembly from a plurality of loose parts at the job site.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DHIRU R. PATEL whose telephone number is 571-272-1983. The examiner can normally be reached on M-TH, 6:30 TO 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-1984. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


DHIRU R PATEL
Primary Examiner
Art Unit 2831
5/11/06
